

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 104.3 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT); (JOYCE JONES, APPLICANT.)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 10-27-03 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☐

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR MINIMUM WIDTH AT BUILDING LINE VARIANCE FROM 150 FEET TO 104.3 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT); OR
2. **DENY** THE REQUEST FOR MINIMUM WIDTH AT BUILDING LINE VARIANCE FROM 150 FEET TO 104.3 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #2, Morris)

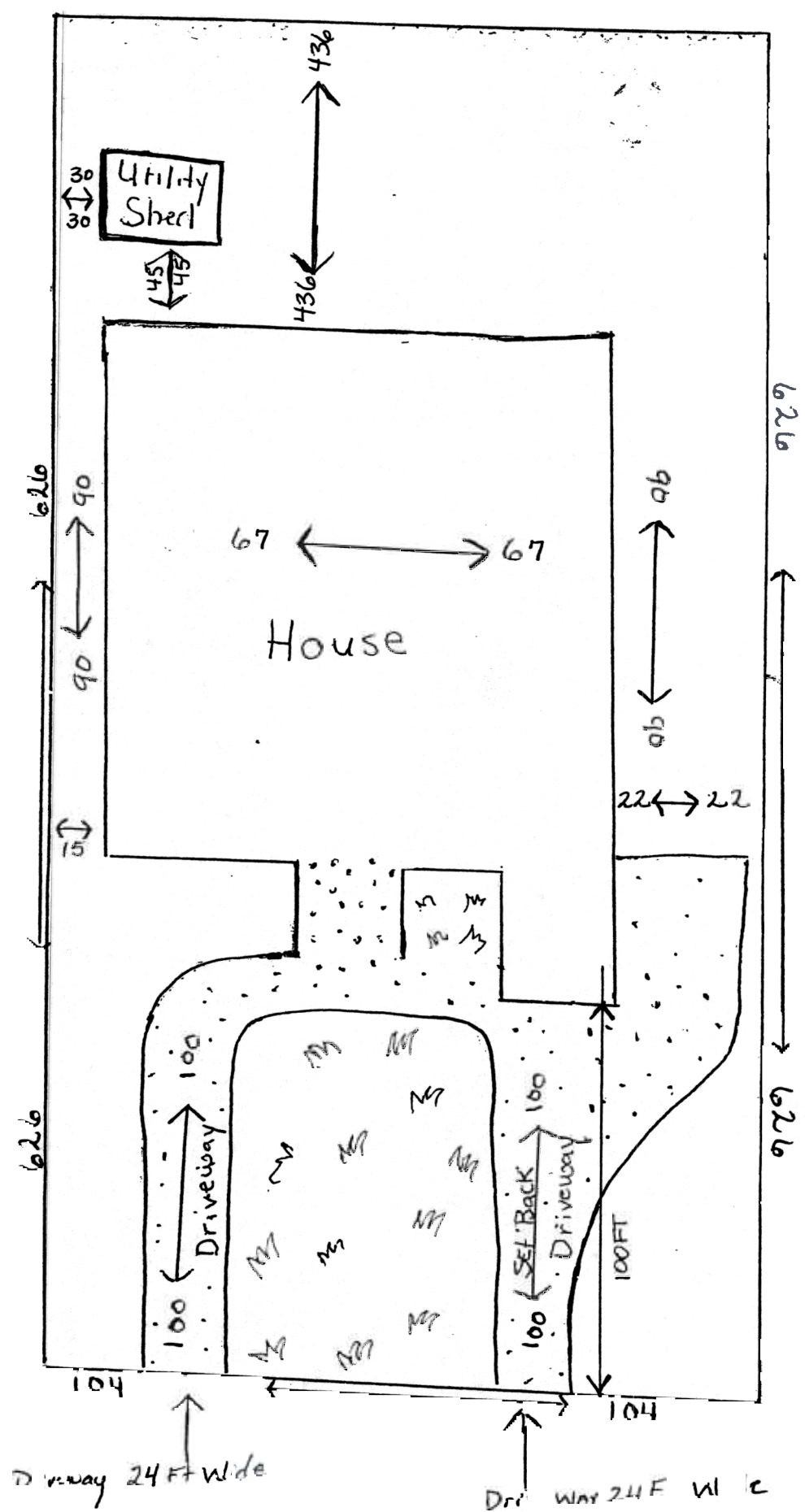
(Francisco Torregrosa, Planner)

GENERAL INFORMATION		JOYCE JONES SNOW HILL ROAD	A-5 (RURAL ZONING CLASSIFICATION DISTRICT); LDC SECTION 30.108(b)
BACKGROUND / REQUEST		<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A SINGLE FAMILY HOME ON AN EXISTING LOT THAT IS LESS THAN FIVE ACRES IN SIZE AND LESS THAN 150 FT WIDE AT THE BUILDING LINE. • A-5 DISTRICT STANDARDS REQUIRE A MINIMUM LOT SIZE OF FIVE ACRES AND A MINIMUM WIDTH AT THE BUILDING LINE OF 150 FT; THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED. 	
STAFF FINDINGS		<ul style="list-style-type: none"> • THE APPLICANT HAS SATISFIED THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE, AS STATED IN LDC SECTION 30.43(b)(3). STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> ◦ THE SUBJECT PROPERTY WAS A PARCEL OF RECORD AT THE TIME THE 1991 COMPREHENSIVE PLAN WAS ADOPTED ON SEPTEMBER 11, 1991. AS OF THAT DATE, LOTS AND PARCELS OF RECORD IN THE 	

	<p>A-5 DISTRICT ARE ALLOWED TO BE BUILT UPON (WITHOUT A VARIANCE) EVEN IF THEY ARE SMALLER THAN THE 5 ACRE MINIMUM LOT SIZE. FOR THIS REASON, NO VARIANCE IS REQUESTED FROM MINIMUM LOT SIZE.</p> <ul style="list-style-type: none">○ SINCE THE CREATION OF THE SUBJECT PROPERTY PREDATES THE 1991 ADOPTION OF THE A-5 DISTRICT STANDARDS, THE APPLICATION OF A-5 DISTRICT ZONING RESULTED IN A NONCONFORMING LOT OF RECORD. THIS IS A SPECIAL CIRCUMSTANCE THAT CONSTITUTES A HARDSHIP.○ POLICY FLU 3.2 REQUIRES THE RECOMBINATION OF PROPERTIES WHEN VARIANCES CAN BE NEGATED. ACCORDING TO THE 1991 SEMINOLE COUNTY REAL PROPERTY TAX ROLL, THE SUBJECT PROPERTY AND THE ABUTTING PROPERTIES WERE OWNED BY DIFFERENT PARTIES. FOR THIS REASON, POLICY 3.2 CAN NOT BE APPLIED TO REQUIRE THE COMBINATION OF THOSE LOTS, PURSUANT TO THE REDUCTION OR ELIMINATION OF WIDTH NONCONFORMITY.○ SINCE THE ADOPTION OF POLICY 3.2 IN 1991, NO OPPORTUNITY HAS EXISTED TO REDUCE OR ELIMINATE THE NONCONFORMITY OF THE SUBJECT PROPERTY. THEREFORE, THE APPLICATION OF A-1 DISTRICT ZONING TO THE PROPERTY CONSTITUTES A HARDSHIP.○ BASED ON THE PREVIOUS FINDINGS, STAFF BELIEVES THE GRANT OF THE REQUESTED VARIANCE WOULD NOT CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE A-5 DISTRICT, FOR NO OTHER OPPORTUNITY EXISTS ON THE SUBJECT PROPERTY TO CONSTRUCT A SINGLE-FAMILY HOME, WHICH IS EXPRESSLY PERMITTED IN THE A-5 DISTRICT.○ THE REQUESTED VARIANCE WOULD BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY.○ THE REQUESTED VARIANCE WOULD OTHERWISE BE COMPLIANT WITH THE LAND DEVELOPMENT CODE.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT CONSIDER THE FINDINGS STATED IN THIS REPORT AND APPROVE THE MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 104.3 FEET. IF THE BOARD SHOULD DECIDE TO GRANT THE REQUESTED VARIANCES, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE SUBJECT PROPERTY, AS DEPICTED ON THE ATTACHED

		<p>SITE PLAN.</p> <ul style="list-style-type: none">• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.
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Key Description
 34 TWP 20S RGE 32ES
 04 3FT of W 626 FT of SW 1/4 of SW 1/4



Driveway 24 FT Wide

Driveway 24 FT Wide

Snow Road



**VARIANCE
APPLICATION TO THE SEMINOLE COUNTY
BOARD OF ADJUSTMENT**

APPLICANT: Joyce Jones
COMPLETE MAILING ADDRESS: 3056 Carlsbad Ct. Oviedo 32765
PHONE: WORK: 407-366-1399 HOME: Same FAX: _____
CELL PHONE: 407-760-6421 Email: HaydayJLU6420@aol.com
PROPERTY OWNER OF RECORD: same
SITE OF REQUEST: Snow Hill Road
STATEMENT OF HARDSHIP: narrow configuration of lot (antiquated lot of record)
REQUEST: - The Width of this property is 104 (width at bldg. line variance from 150 FT. to 104 FT.)
Zoning Requirement should be 150
LEGAL DESCRIPTION OF PROPERTY: 34-20-32-300-0410-0000 34 TWP 20S RGE 32ES
104.3 Ft of W 626.1 Ft of SW 1/4 or SW 1/4
TAX PARCEL ID NO. 34-20-32-300-0410-0000 34 TWP 20S RGE 32ES
104.3 Ft of W 626.1 Ft of SW 1/4 of SW 1/4
KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: None (Vacant Lot)

EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee

SIGNATURE OF APPLICANT: Joyce Jones DATE: 8-24-03

FOR OFFICE USE ONLY			
FEE: <u>150⁰⁰</u>	CK# <u>440</u>	RECEIPT# _____	DATE _____ ZONING DISTRICT: <u>A-5</u>
FURTHER DESCRIBED AS: _____			LOT SIZE: <u>104x626</u>
PROCESSING:			
A. LEGAL AD TO NEWSPAPER _____ / _____		B. NOTICE TO PROPERTY OWNERS _____	
C. PLACARDS / NOTICE _____ / _____		D. PROJECT NO. <u>03 30000 142</u>	
E. BOARD ACTION / DATE _____ / _____		F. LETTER TO APPLICANT _____	
G. PUD SETBACKS _____			

INITIAL CONFERENCE 08/26/03

BCC DISTRICT 2-Morris

PLANNER EAM

FILE NO. BV2003-137

MEETING DATE 10-28-03

03 8186

BUILDABLE LOT RESEARCH REQUEST


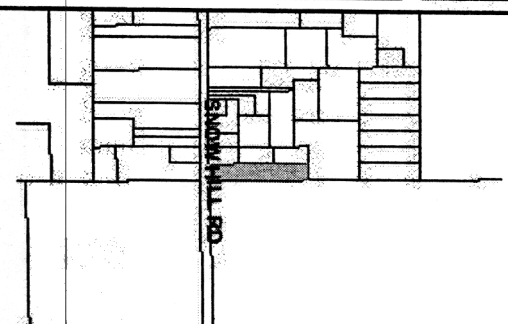
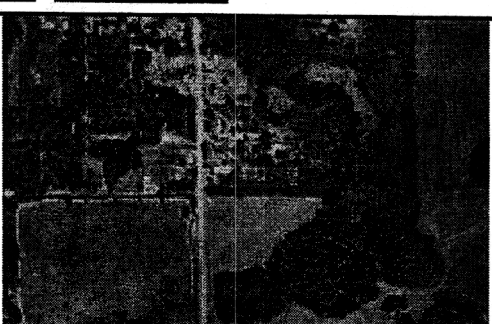
APPLICANT NAME: <u>Joyce Jones</u>		Date: <u>7-21-03</u>	
MAILING ADDRESS: <u>3056</u> <u>Carlsbad Ct. Oviedo</u>			
PARCEL ID #: <u>34-20-32-300-0410-0000</u>			
LEGAL DESCRIPTION: <u>34 TWP 20S RGE 32ES</u> <u>104.3 Ft of W 626.1 Ft of SW</u> <u>Y4 of SW Y4</u>			
Note: There is a \$35.00 fee for the buildable lot research. Please complete the above information, and submit a check or money order payable to Seminole County.			
BELOW FOR OFFICE USE ONLY			
ZONING REVIEW		Date sent: <u>7/21</u>	
Zoning District: <u>A-5</u>	Parcel created according to subdivision regulations? Created Before <u>1971</u> Yes <input type="checkbox"/> No <input type="checkbox"/>		
Minimum lot size: <u>1 acre</u>	Does the parcel/lot meet the minimum lot size & width requirements for the zoning district?		
Minimum width at building line: <u>150 Ft</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there existing structures on the property?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Comments: <u>This lot may be buildable as long as all A-1 zoning requirements are met. It appears that you may need to apply for a width at building line and lot line variance. Please contact our planning office @ 407-665-7444 before purchasing this property or pulling permits.</u>			
Reviewed by: <u>Angi Musgrave</u>		Date: <u>7/25/03</u>	
FLOOD PRONE REVIEW		Date sent:	
Is the property flood prone?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
BFE:	Map #:	Panel #:	
Reviewed by:		Date:	
WETLAND REVIEW (ECON)		Date sent:	
Are wetlands/protection areas on the property?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Comments: <u>This property is located in the Econ River Basin. Any impacts to listed species, which are plant or animal species that are protected by federal and/or state laws, will require permits from the FFWCC, prior to issuance of county permits. You may contact the FFWCC at (352) 732-1225, concerning state permit requirements. According to the county wetland maps, there doesn't appear to be any wetlands on this property. However, these maps can only be used as a guideline, and an on-site wetland inspection was not performed. We cannot guarantee that there may or may not be an isolated wetland on the property. This does not alleviate the owner's responsibility to ensure all applicable agencies are contacted to address potential wetlands on site. You can contact Jim Carr of FDEP at 407-893-3311 for an informal wetlands determination.</u>			
Reviewed by: <u>Tonya Haley</u>		Date: <u>7-28-03</u>	
Applicant has been notified by: Phone <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Date:			
NOTE: This research is based on the best available data and does not guarantee that a permit will be issued, and, therefore, does not create a liability on the part of the county, or any officer or employee thereof, for any damage that results from reliance on this determination. In addition to above references, property shall comply with all applicable federal, state and local rules and regulations.			

Building & Fire Inspection Division

1101 E. First Street

Sanford, FL 32771

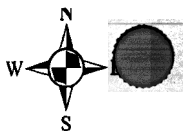
Fax: 407-665-7047

PARCEL DETAIL		REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALIS SEARCH	◀ ◁ + ▷ ▶																		
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																								
<p align="center">GENERAL</p> <p>Parcel Id: 34-20-32-300-0410-0000 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: JONES CHARLES & JOYCE Exemptions:</p> <p>Address: 3056 CARLSBAD CT</p> <p>City,State,ZipCode: OVIEDO FL 32765</p> <p>Property Address:</p> <p>Subdivision Name:</p> <p>Dor: 00-VACANT RESIDENTIAL</p>				<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$15,120</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$15,120</p> <p>Assessed Value (SOH): \$15,120</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$15,120</p>																				
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/2003</td> <td>05029</td> <td>0695</td> <td>\$32,500</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>03/1994</td> <td>02758</td> <td>0807</td> <td>\$100</td> <td>Vacant</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>				Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	08/2003	05029	0695	\$32,500	Vacant	QUIT CLAIM DEED	03/1994	02758	0807	\$100	Vacant	<p align="center">2003 VALUE SUMMARY</p> <p>2003 Tax Bill Amount: \$259</p> <p>2003 Taxable Value: \$15,120</p>		
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<p align="center">LAND</p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>1.260</td> <td>12,000.00</td> <td>\$15,120</td> </tr> </tbody> </table>				Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	1.260	12,000.00	\$15,120	<p align="center">LEGAL DESCRIPTION</p> <p>LEG SEC 34 TWP 20S RGE 32E S 104.3 FT OF W 626.1 FT OF SW 1/4 OF SW 1/4</p>								
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																								

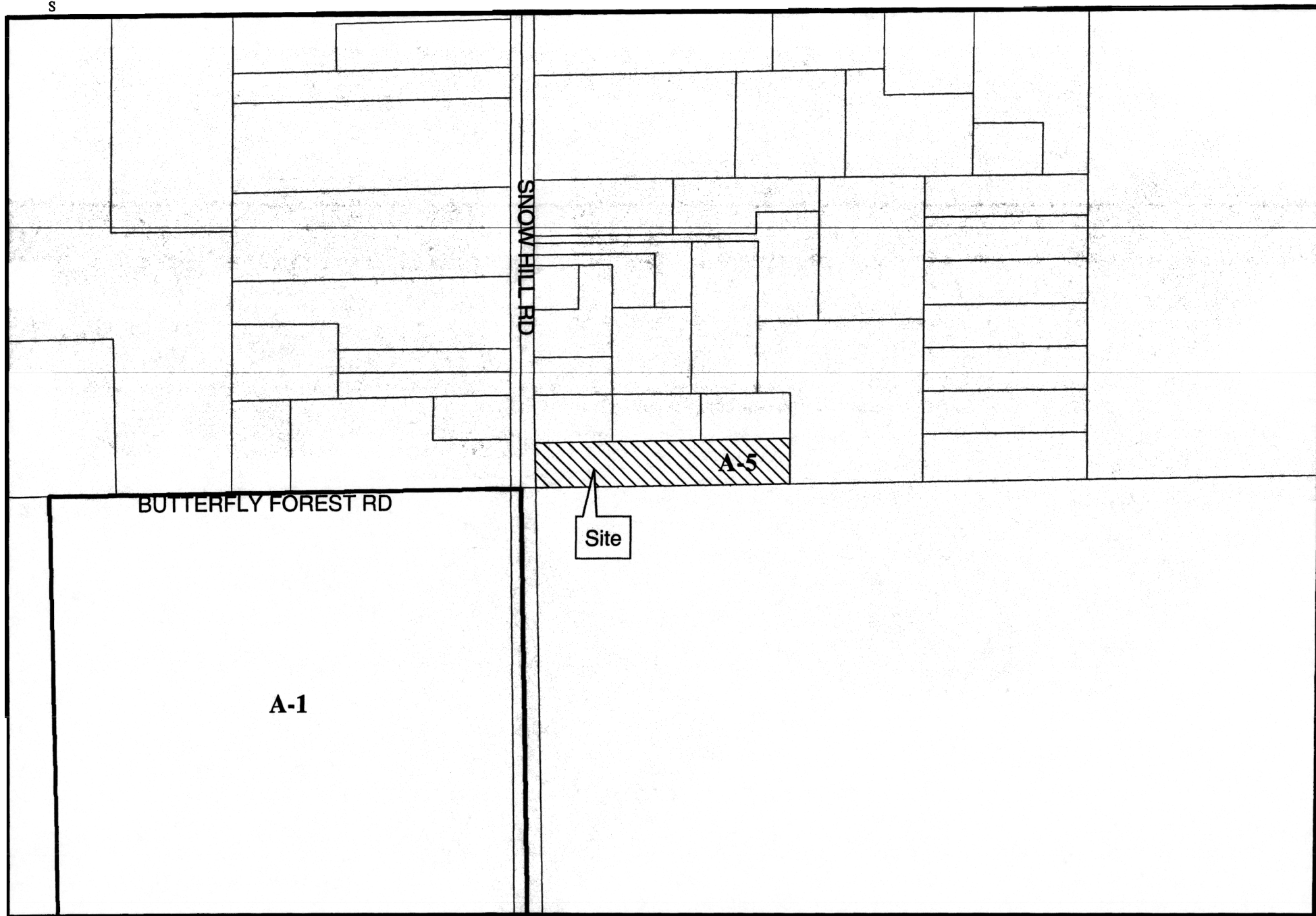
BACK

PROPERTY APPRAISER
HOME PAGE

CONTACT



Joyce Jones Snow Hill Road



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 27, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 34 TWP 20S RGE 32E S 104.3 FT OF W 626.1 FT OF SW 1/4
OF SW 1/4

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owners: JOYCE JONES
3056 CARLSBAD CT
OVIEDO FL 32765

Project Name: SNOWHILL ROAD

Requested Development Approval:

REQUEST FOR MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FT TO 104.3 FT FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property:
 - (a) The variance granted shall apply only to the subject property as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: